

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 345
Committee Substitute Favorable 5/2/13
Third Edition Engrossed 5/15/13

Short Title: Increase Penalties for Misuse of 911 System.

(Public)

Sponsors:

Referred to:

March 20, 2013

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE CRIMINAL PENALTY FOR MISUSE OF THE 911 SYSTEM, TO PROVIDE THAT THE POLICE CHIEF APPOINTED TO THE 911 BOARD SHALL BE APPOINTED UPON THE RECOMMENDATION OF THE NORTH CAROLINA ASSOCIATION OF CHIEFS OF POLICE, TO EXTEND THE DATE FOR IMPLEMENTATION OF OPERATING STANDARDS SET BY THE 911 BOARD, AND TO PROVIDE FOR A STUDY OF 911 SERVICE BY THE JOINT LEGISLATIVE EMERGENCY MANAGEMENT OVERSIGHT COMMITTEE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-111.4 reads as rewritten:

"§ 14-111.4. **Misuse of 911 system.**

It is unlawful for an individual who is not seeking public safety assistance, is not providing 911 service, or is not responding to a 911 call to access or attempt to access the 911 system for a purpose other than an emergency communication. A person who knowingly violates this section commits a Class 3 misdemeanor. ~~If a person knowingly accesses or attempts to access the 911 system for the purpose of avoiding a charge for voice communications service, as defined in G.S. 62A-40, and the value of the charge exceeds one hundred dollars (\$100.00), the person commits a Class 1 misdemeanor.~~"

SECTION 2. G.S. 62A-41 reads as rewritten:

"§ 62A-41. **911 Board.**

(a) Membership. – The 911 Board is established in the Office of Information Technology Services. Neither a local government unit that receives a distribution from the fund under G.S. 62A-46 nor a telecommunication service provider may have more than one representative on the 911 Board. The 911 Board consists of 17 members as follows:

...

(2) Six members appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives as follows:

- a. An individual who is a ~~sheriff~~ sheriff, appointed upon the recommendation of the North Carolina Sheriff's Association.
- b. An individual who represents CMRS providers operating in North Carolina.
- c. An individual who represents the North Carolina chapter of the Association of Public Safety Communications Officials (APCO).



- 1 d. Two individuals who represent local exchange carriers operating in
2 North Carolina, one of whom represents a local exchange carrier
3 with less than 50,000 access lines.
- 4 e. A fire chief with experience operating or supervising a PSAP,
5 appointed upon the recommendation of the North Carolina Firemen's
6 Association.
- 7 (3) Six members appointed by the General Assembly upon the recommendation
8 of the President Pro Tempore of the Senate as follows:
- 9 a. An individual who is a chief of ~~police~~-police, appointed upon the
10 recommendation of the North Carolina Association of Chiefs of
11 Police.
- 12 b. Two individuals who represent CMRS providers operating in North
13 Carolina.
- 14 c. A Rescue or Emergency Medical Services Chief with experience
15 operating or supervising a PSAP, appointed upon the
16 recommendation of the North Carolina Association of Rescue and
17 Emergency Medical Services.
- 18 d. Two individuals who represent local exchange carriers operating in
19 North Carolina, one of whom represents a local exchange carrier
20 with less than 200,000 access lines.

21"

22 **SECTION 3.** Section 1 of Session Law 2012-132 reads as rewritten:

23 "**SECTION 1.** No operating standards set by the 911 Board pursuant to Article 3 of
24 Chapter 62A of the General Statutes shall be effective until ~~January 1, 2014.~~January 1, 2015."

25 **SECTION 4.** The Legislative Research Commission shall study the following
26 issues and report its findings and recommendations to the General Assembly on or before
27 January 31, 2014:

- 28 (1) Composition of the 911 Board and appropriate placement of the 911 Board
29 within State government.
- 30 (2) Development of operating standards for Public Safety Answering Points
31 (PSAPs).
- 32 (3) Development of standards for, and delivery of, training and certification for
33 telecommunicators assigned to PSAPs.
- 34 (4) Consideration of "next generation" 911 service and the State's role in
35 addressing development and costs involved.
- 36 (5) Administration of the 911 fund.

37 **SECTION 5.** Section 1 of this act becomes effective December 1, 2013, and
38 applies to offenses committed on or after that date. The remainder of this act is effective when
39 it becomes law.